

Conducting elections amid pandemics: lessons learnt from the United States and a way forward for Pakistan

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Abstract

Conducting general elections while the pandemic prevails is a huge upcoming challenge for all democracies. Issues and controversies of the 2020 US elections that were conducted amid pandemic are sufficient to alert the rest to take proactive preventive measures and fast track relevant policy adoption ahead of time. Implications of the Coronavirus Pandemic on US General Elections 2020 were grave. From public opinion to election campaigning, from virtual rallies to the very act of voting itself, the virus upended the whole election process. Keeping in view the issues faced by the US, especially the controversy of use of postal ballots for vote, the study discusses policy guidelines and considerations that can help in developing a framework to adopt innovative and risk-free measures in conducting elections amid pandemics. Furthermore, it discusses a way forward for Pakistan in case the situation of Pandemic prevails. The study also includes opinions of electoral experts who have worked on electoral projects in Pakistan. In order to present the opinion of public, a survey has been included which depicts the choice of voters regarding use of alternate voting methods in future elections because voters' trust in any new system is a key for successful policymaking.

Keywords: electoral system, digital Pakistan, election commission, election management bodies, online voting, postal ballot, Covid-19, electronic voting, survey.

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1. Introduction

In the end of the year 2019, a new highly contagious form of the “Coronavirus” emerged in Wuhan, China and soon engulfed the whole of China and spread across the world – a global pandemic was declared. All those countries which took different preventive measures in time managed to lower the virus’s impact on their societies and hence saved countless lives as a result. Taiwan, New Zealand, Iceland, Singapore, Vietnam are some of those countries that handled the coronavirus better due to vigilance and early response before the virus could overwhelm them.

Containment of the virus became every government’s biggest challenge and it involved stringent lockdown related rules and social distancing regulations that literally affected all spheres of our lives. The US has been amongst the worst hit countries with over half a million deaths reported so far and it is also being classed as the worst country in terms of pandemic handling and preparation (Howell, 2022). It’s also one of those countries that had to conduct general elections amidst the pandemic – which meant a lot of political activity. Moreover, ‘political activity’ is an act of togetherness and there is no political activity that does not involve social gathering while the only thing that keep the virus at bay is social distancing. Conducting the election with social distancing is an uphill task which may require a lot more time for preparation than expected. For US, this meant reverting to non-conventional methods of voting amongst other mechanisms adopted as prevention mechanism against the pandemic.

The US election authorities hence faced a lot of stress in the 2020 US elections, resulting in delayed vote counting in key battleground states, post-election chaos and calls of voter fraud, increasing lack of trust amongst voters and jeopardized the already strained US election system. Postal balloting that was supposed to be a saviour in this case became a political bashing instrument throughout the 2020 election campaign & is the central pillar of all the post-election controversies.

The US has faced unprecedented levels of political violence post 2020 elections, taking the lives of five agitated citizens so far when a crowd of charged Trump supporters marched on to the US capital and managed to break into the building on the very day when US Congress and Senate were having a joint session to certify the result of the 2020 elections (Hills, 2021). Hence, on the day of oath taking ceremony of the President Biden, extraordinary security measures were taken which included deploying around 25,000 National Guard troops around Washington DC amidst the FBI warning of potential further armed protests resulting in US secret service taking over the overall command of the security situation for the inauguration (Hills, 2021).

All this agitation was due to the lack of trust of voters on improvised measures opted to cast vote. One of the two main political parties openly voiced their concerns ahead of elections and questioned the legitimacy of the postal ballot voting mechanism.

While the US faced this political turmoil and the credibility of their democratic institutions erode, it exposed an upcoming policy issue to the world especially for all the countries who had previously suffered electoral controversies and are striving for electoral reforms. The Pandemic has posed added threat to the existing electoral processes that are already in need of reforms. If any country has to conduct elections amidst the threat of the virus, they are bound

to take extra measures like US to shift towards alternate voting method that includes less risk of spreading the virus. Although vaccines are developed but mutated versions of the virus are still looming large, posing consistent threat to human health. The vote casting activity involves physical and social proximity of voters especially during the act of voting. Vast number of voters may touch same machine, standing in the same queues, physically contacting the same equipment in a shared space.

The choices of alternate voting methods are limited and essentially not available for everyone. Shifting to new voting procedures involve not only infrastructural changes and additional funds, but it also fundamentally requires trust of the key stakeholders especially of voters and political candidates.

Purpose of this research is to shed light on the issues faced by US while conducting general elections amid pandemic and keeping in view their issues, discuss a way forward for Pakistan by including policy guidelines compiled by international electoral organizations to conduct elections amid pandemics. For the purpose the study includes election strategies devised by international academic research and reports on holding elections during pandemic. To propose a way forward specially in the context of Pakistan, In-depth interviews of electoral experts have been conducted who belong to not only the field election management but also have been part of e-voting projects in Pakistan. For the purpose following research questions have been raised and discussed in this article.

- What are the internationally devised best practices for electoral management strategies amid pandemics?
- What is the process of 'Postal ballot' being the most used/suggested alternate voting method during pandemic by many countries?
- In case of extra ordinary situation, what are the alternate voting method choices as a way forward for Pakistan in view of electoral experts?
- What is the level of trust of Pakistani voters in alternate voting methods i.e., E-voting?

First and Second questions are discussed in the literature review by including research and reports from the most significant international electoral organizations. For Third and Fourth questions primary data has been collected with the help of conducting in-depth interviews and projecting public perceptions with the help of a survey questionnaire.

2. Literature review

2.1. Key considerations for conducting elections during the pandemic

Commonwealth Briefing Paper (2020) has published key considerations for conducting elections during pandemic. These considerations were compiled keeping in view the elections conducted by Australia, Sri Lanka, Namibia and information acquired by EMBs all around the world including India and Pakistan. Following key strategies were concluded in that report.

2.2. Role of Election Management Bodies (EMBs)

The responsibility of conducting elections with the looming threat of pandemic has put additional challenge on EMBs all around the world. Whether it's the decision of postponing

elections like many countries i.e., United Kingdom, Australia, Bangladesh, Canada, France, India or it is the decision of choosing alternate method of voting like United States, it is important to be prepared beforehand to avoid last minute hassle and controversies. According to International Foundation for Electoral Systems (IFES) as of May 11, 2021 total of 119 election events have been postponed in 69 countries so far (International Foundation for Electoral Systems (2021)). Core issues faced by EMBs include improvisation at every stage of election operations while keeping in view the health and security situation and additional coordination with the authorities of security and health. With all these challenges, potential budget cuts due to Covid-19 after the economic crises requires extraordinary measures and solutions. Hence is a test of preparedness of EMBs. Those countries who has experienced pandemic Ebola or severe acute respiratory syndrome (SARS) proved to deal with current crises in a better way due to already in place regulations and legislations. Therefore, all the countries should take such measures and adopt such a framework which can help in preparedness for any future disaster or outbreak.

EMBs should develop such a framework that ensure international standards of elections while safeguarding international standards of human rights. Due to the exceptional circumstances of Covid-19, some human rights including political and civil rights require to be restricted to limit the negative consequences of the crisis. As per International standards such measures are allowed to be taken in case of life-threatening emergencies (International Covenant on Civil and Political Rights (1996)). It may include compromising the key voting principles i.e., periodic elections, right to vote, universal suffrage, secret ballot, equal suffrage, free expression regarding choice of candidate and credible elections. During the pandemic many elections have been postponed and alternate electoral methods have been used including postal ballots or electronic voting. This change may pose a threat to stakeholder's confidence because in postal ballots or proxy voting it is difficult to ensure secrecy of the vote. Yet it is crucial for the EMBs to maintain their commitment and ensure key electoral principals as much as possible so that legitimacy of the elections is preserved.

Another challenge for the EMBs is to ensure inclusive participation. It involves taking such measures that facilitate vulnerable segment of voters more than ever. Since the pandemic poses larger threat to older age group and other differently able persons, it is important to extra precautionary measures to safeguard their participation in the act of voting. EMBs may take into consideration the special needs of all such groups and facilitate their participation accordingly. This require the preparedness of alternate voting method that provide facility of remote voting, be it postal ballot, online voting, or any other form of electronic voting.

2.3. Key considerations for Election Management Bodies (EMBs)

Some of the key considerations for EMBs to device strategy of conducting elections during pandemic include ensuring health and safety, legislation, stakeholder's trust, special operational arrangements, and financial considerations. Below are briefly presented few practical examples of these considerations adopted by different countries successfully.

To adopt legal framework for pandemic, New Zealand has amended the electoral act of 1993 to provide for polling disruptions due to any extra ordinary situation including outbreak, terrorist attack, riots or cyber-attack. The act was amended to use alternate voting methods in case of the pandemic. In South Africa and India, voter's registration services were provided

online in order to maintain social distancing due to pandemic. In Fiji all the training and workshops required for electoral process has been conducted online with the help of google meet video conferencing. In Bangladesh institutional curricula of in-person training has been changed to online trainings. Jamaica has increased its financial limits of electoral campaigns have been increased taking into consideration the extra spending required for conducting virtual campaigns.

Many countries have adopted measures of multiple days voting or early voting including New Zealand, Canada, South Africa, Trinidad, and Tobago. New Zealand increased voting time from one day to three days in order to maintain social distance and avoid rush at polling stations. Canada system of advanced polling was already in place to increase voter's turnout. It proved to be useful during the pandemic. South Africa has developed an electoral calendar where voters having special circumstances can apply to vote on a pre-determined day before the Election Day. Same has been practiced in Tobago and Trinidad where such voters who are included in vulnerable group can apply for 'special elector statuses to cast vote at an early date before the day of elections. Alternate voting methods that are useful during pandemic include postal ballot, telephone voting, online voting, proxy voting and mobile voting. Sri Lanka and Canada are looking into increasing their capacity through vote by mail to be allowed to special groups of voters.

A survey has been conducted in Commonwealth countries gathered opinion of all the countries regarding their potential solution they were considering in response to the pandemic. In data analysis, most opted impending solutions included mobile polling stations, online voting, postal ballots, proxy voting and early voting. To analyse proposed solutions for conducting elections during pandemic, Sri Lanka conducted mock elections with mock counting of practical evaluation of the special Covid-19 measures. These special measures for voters included wearing face mask, bringing their own pen to use in marking ballot, implement social distancing during queues, polling officers to be shielded by plastic barrier and using disposable buds for applying voting ink. This exercise was conducted to also examine the time needed for voting with all these additional measures so that required adjustments were made for real elections. During this exercise, using fresh water to wash voter's hands proved unsuccessful because ballot paper was getting wet due to voter's freshly washed hands. Use of alcohol-based spray sanitizer was found more suitable.

2.4. Case of Spain elections during pandemic

Spain could not cancel the scheduled elections due to pandemic as they had no legal and constitutional backing for it. As per their constitution cancelling the elections was suspending the human rights therefore the elections were conducted when the state of alarm was still applied. Average turnout of all the areas was ten percent less than the previous 2016 elections. Voters with any symptom related to pandemic were dis-enfranchised. Logistic measures to improve social distancing were applied. In Spain anyone can be hired to be the polling staff by their traditional process of lottery. This time a lot of members elected to be the polling staff cancelled themselves from the duty.

Since postal voting has always been allowed in Spain and the system was already in place, it proved to be very useful in taking pandemic measures. Postal votes doubled during this election and huge number of additional postal service temporary staff was hired to perform the

exceeding duties. Under special code of pandemic three major changes to postal services were made. Electronic applications were allowed for casting postal ballot. Earlier it was processed at postal offices only. Mandatory voter's signatures for delivering essential voting documents at home were relaxed. Earlier postal ballot was posted but this time it was allowed to be performed from home by handing over the voting documents to the concern personal. Some of these steps were contrary to the voter's identification laws but due to special circumstances these exemptions were made. Relaxation of time for overseas postal voting procedures were made. Quarantine voters were not allowed to vote. No special measures were taken for these voters to exercise their right to vote (Esteve, 2021).

Elections in Spain were not postponed to a public health emergency however there were some political, operational as well as legal concerns. No contingency arrangement was made for quarantined patients. Electoral campaign had to adjust to strict measures and digital advertising gained more focus. Although for Spanish EMBs no extra ordinary controversies arise as in the aftereffects of special pandemic measures yet it was observed that for political campaigning, online competing required that the campaign financing and level field playing must be considered (Esteve, 2021).

2.5. Policy guidelines by International Institute of Democracy and Electoral Association (IDEA)

International Institute for Democracy and Electoral Association (IDEA) published a policy brief regarding considerations for decision makers regarding election management during the pandemic. It constituted the most common challenges faced by EMBs include ensuring voter's turn out, voter's safety, integrity of elections despite special Covid-19 measures and ensuring the right to vote for the vulnerable segment of voters. In order to improvise election procedures, it is necessary to keep in view key influencing factors. As per IDEA these include election timings i.e., how close is the election date, which phase of pandemic is going on, risk level of health of voters, expected turnout of voters, and expected especial financial implications. Two of the main risks identified for health safety of the voters during election process are 'single day of vote casting' and 'requiring physical presence of voters for the act of vote'. While considering risks regarding special voting arrangements few key factors to bear in mind include lack of electoral integrity leading to controversies, rejection of compliance by the concerned stakeholders, lack of awareness among stakeholders and lack of time in case timely policy measures have not been devised. It was recommended that decision makers may provide voters with different options including remote or in-person voting, advance voting and proxy voting, increased number of polling stations, outdoor polling station if feasible and increased security for special voting arrangements (IDEA Policy Brief, 2020).

It is important for each country to devise arrangements for managing elections during pandemic according to their diverse contexts and unique conditions since they are differently equipped to respond to the Covid-19 crisis. But one most insisted endorsement for all the countries was to devise timely solution long before the elections taking into consideration the experiences and policy measures of other countries and changing situation of the pandemic. Considering such policy solutions that are innovative and sustainable in all circumstances (IDEA Policy Brief, 2020). Holding elections amid current pandemic will not only provide experience that will be valuable for other countries but also will provide valuable guidelines for EMBs in developing such practices that are resilient to any future health crises. The likelihood of

pandemics and epidemics has been increased due to climate change and other human encroachments on the natural world. EMBs should adopt according to the current crisis but also prepare themselves for such election procedures that which can take place amid expected other natural disasters especially related to health category.

Taking into consideration the international experiences and policy guidelines it is noted that one of the most practiced alternate methods of voting during elections amid pandemic was postal ballot. It was due to two reasons. First, the system of postal ballots was already in place in most of the developed world where voters could vote long before the election day within the safety of their homes. Secondly, since it was used for overseas voters and other vulnerable segment of the voters, it was politically and socially already accepted method. Although when it was used as a dominant mode of voting for US 2020 elections, it faced many issues while posing a threat to the integrity of US elections.

Keeping in view the international experiences, policy guidelines and recommendations, it is important to discuss that which methods and procedures are applicable in Pakistan in case any new wave of the pandemic hit the world. Since Election Commission of Pakistan has already been under immense pressure to bring electoral reforms since 2013 elections, it already paved way towards exploring and experimenting new methods of voting which improves the electoral process and decrease the malpractices due to involvement of human factor at every stage. For the purpose, pilots of biometric voting services were tried, Electronic Voting Machines were suggested, electronic Result Transmission System (RTS) was introduced and most importantly online voting for overseas Pakistanis was exercised at by elections for the first time in the history of Pakistan. Since Pakistan did not have any postal ballot method in place, overseas Pakistani voters were not able to exercise their right to vote. After the successful introduction of online voting project, Government of Pakistan also initiated efforts to legalize the use of electronic voting in the form of EVM. Fortunately, all these ground efforts for introduction of e-voting have already been made in Pakistan.

Since the method of postal ballot has already been ruled out for Pakistan as there is no existing system in place plus the inherent weaknesses in postal ballot which posed a threat to integrity of elections even in US, it is highly non recommendable for Pakistan as an immediate solution. This leaves us with the options of remote voting, proxy voting and mobile voting. Pakistan is a populace democracy and has experienced numerous controversies of vote stuffing, vote coercion and manipulative vote counting and wrongful involvement of presiding officers in rigging issues. Keeping in view the context of Pakistan's electoral issues and ongoing efforts of Election Commission of Pakistan data has been collected with the help of in-depth interviews of electoral experts who has worked in voting projects in Pakistan. A discussion of proposed methods in the opinion of electoral experts is provided below. Moreover, above mentioned international experiences and policy guidelines a proposed method of alternate voting has been discussed. Additionally, in order to project the perceptions of Pakistani voters with respect to their opinion regarding moving towards e-voting technology in upcoming elections, a survey has also been included.

3. Research design

The research has been conducted by collecting primary and secondary data using qualitative multi method approach. Basic way to collect data is through literature review and in-depth

interviews of electoral experts who have worked on electronic voting projects in Pakistan. The interviewees belonged to Election Commission of Pakistan, National Database and Registration Authority (NADRA) and International Election Organization in Pakistan. To project opinion of Pakistani voters, survey has been conducted to present their view regarding prospective use of e-voting in future elections of Pakistan.

4. Pandemic and elections in United States

4.1. The postal ballot controversy

Vote by mail has become one of the most contentious issues of the 2020 US elections. Jim Rutenberg, writer of the New York Times states, “Never in our lifetimes has the way people elect their president changed so much and that too in a single year and it is going to have more disputes and fights” (Rutenberg, 2020). Postal ballot is the method of voting from home by post. It was the endorsed method of voting to contain the spread of virus. This caused controversy amid both political parties and its supporters. To contain the spread of the pandemic, the Democrats recommended and encouraged people to avail the option of vote by mail, whereas Trump openly voiced his concerns regarding vote by mail due to some of inherent weaknesses of the postal ballot system especially on large scale. Since lack of trust on the voting system by one political party and its voters was voiced ahead of the elections, when the nail-biting election was contested, and they lost the election by a narrow margin, a spring of protests emerged from all across the country claiming their lack of trust on postal ballot vote’s turnout. The process of postal ballot has some weaknesses that cannot be overcome without prior preparation and huge funds.

4.2. How postal ballot works

To understand the issue of postal ballot it is important to know the process. Voting through postal ballot in US has mainly few key steps, but each state has its unique rules regarding their voting methods. There are several states which only had mail-in-voting method to participate in 2020 US elections. However, there were states where voting through postal ballot was allowed in special circumstances only, for example if the voter was sick or out of the state on the day of elections. Although many states were moving towards Mail-in-vote method which allows all voters to cast vote by postal mail due to the pandemic. It mainly involves the following steps as described by West (2020):

- The registered voter reaches the local election authority by phone, online or in person and request for absentee ballot.
- Voter provides their name and address in making the request.
- After receiving the request local election authorities send the ballot paper to the voter’s provided home address.
- The ballot paper received by the voter consists of two envelopes. The first security sealed envelope is for the ballot paper which keeps the choice of vote private and the other envelope to carry the sealed ballot paper signed by the voter to certify their identity.
- Mail ballot is received by the concerned local election authorities who cross check the name and address of the voter with the registered voter’s list to make sure that the person is registered voter and posted his ballot from the same voting address as listed.

- After crosschecking voter's verification, the election authorities remove the upper envelope that carries the signatures of the voter to ensure secrecy of voter's preference.
- The mail ballots are kept till Election Day and election authorities can start counting the mail ballot only on Election Day.
- Number of Postal votes are then added to votes cast in person.

4.3. Problems US faced due to postal ballot

Postal ballot is allowed in US, Europe and many other countries but is practiced by minimum number of voters. The reason is different in each state but mostly, postal ballot is used only in case of unavailability of the voter to cast the vote in person. It was introduced to facilitate voters in terms of convenience especially for the senior citizens, low-income voters having transportation issues and voters with health issues (West, 2020).

4.4. Delay in election results

First and foremost, problem postal ballots caused in US elections was delayed election results. These delays were not manageable due to the postal polling process with sudden increase in postal ballot. United State Postal Service (USPS) worked hard to ensure the vote's sanctity and voter's satisfaction (Election Mail, n.d.). Still one of the major issues occurred was that many vote-by-mails received after the cut off time of polling. This delay was unavoidable due to sudden increase (from 5% to 40%) of mail votes even when the system in place was exceptionally good.

While interviewed by local TV, "Veteran polling workers said they were seriously worried about the election night as critical results to be announced on election night were getting delayed to one week or even a month". The election workers had to stay up 48 hours straight and the delayed results had huge implications on whether the results were to be accepted by the American voters (Sky News, 2020).

It also became a major reason of dispute among the political parties because in some states the number of votes rejected were around the number of leading votes of the winner political party. The cause of such rejected votes was late arrival of ballot to the election office due to delay in postal ballot service.

4.5. Delay in receiving ballot paper by the voters

Second issue faced by US in 2020 elections due to abrupt increase of vote by mail was that many voters who requested election authorities for ballot could not receive their ballots on time and they had to visit election offices in long ques to either get their ballots or to be allowed to cast their vote in person. This caused a lot of inconvenience to the voters many voters could not resolve the issue on time. Video interviews of some of annoyed voters were posted online by New York Times (Rutenburg, 2020).

4.6. Lack of trust on postal ballot

Another pressing issue caused by increased use of postal ballot was lack of trust of one political party and its supporters on the system of vote by mail. Even before the elections one of the

parties challenged the plan of sending ballot to every voter of California in court. The party voiced their concerns that postal ballot undermines the integrity of elections and increase the risk of election fraud. 'it is easier to cheat' and 'it favour the other party' were the two main accusations filed in court of California. In an interview, a secretary of state of Michigan accepted that thousands of absentee ballots were caught (World News, 2020).

4.5. Voter's identity fraud

The chances of voter's identity fraud increase in vote by mail as the only method of voter's identification in this method of voting are the signature of the voters which are tallied by the voting staff. Vote stuffing become easy as impersonating signatures is a lot easier than personally stuffing the fraud ballot. It was the very reason why recently a bill has been passed in US to improve the way of voter's identification further in vote by mail process.

4.6. Absentee ballot fraud and allegations by Trump

Absentee ballot fraud and duplicate voting or fraudulent votes is generally assumed to be easier in postal ballot as compared to cast vote in person even if previously there are limited number of fraudulent postal ballot cases (Kamarck & Stenglein, 2020). President Trump voiced his concerns for six months till the Election Day and afterword that vote by mail will de-legitimize the entire election. These repeated claims by trump party decreased voter's confidence on postal ballot system. Even though all the claims of election fraud by Trump party were refused officially yet lack of public trust on a newly chosen voting method should not have been ignored. Just like the example of Ireland where billions of dollars were spent on a new voting method i.e., vote through electronic voting machine. But when one political party and its voters showed lack of confidence on new developed voting method, the whole project was rolled back just before few months of the General elections and huge fund losses were faced by the government. It was mainly due to voter's lack of confidence on new voting method. Voter's trust on voting process is not only important, but also obligatory.

4.7. Revised social media policy due to controversial statements of Trump

Expression of Trump and his party regarding dubious elections put a question mark on the integrity of the whole general election. To refute the claims of Trump and his voters and to protect the sanctity of US elections, their government institutes and media took strong measures. They had to device policy mechanism to shut down the cries of agitated voters.

Huge policy changes at social media platforms were introduced to erase the voice of Trump and his party. Twitter account of Trump, which was his most popular medium to communicate with his supporters was banned. Immediate policy changes were made by the collaboration of government regulatory institutions and social media which included rules such as, 'opinions cannot be voiced on popular social media platforms that may pose social or political threats to the system idn place'. On 8th January 2021 Twitter announced, "After close review of recent Tweets from the @realDonaldTrump account and the context around them — specifically how they are being received and interpreted on and off Twitter — we have permanently suspended the account due to the risk of further incitement of violence" (Twitter, 2021).

Keeping in view the issues faced by the US for using postal ballot abruptly, the importance of

preparedness for conducting elections increases multifield. Just like all other political and social processes, conducting elections during the period of pandemic pose greater challenges. It will be a lot more expensive and lead to controversies if proper arrangements and strategies are not devised beforehand (Commonwealth Briefing Paper, 2020). Even developed countries like UK had to postpone elections since they could not devise any strategy to hold elections during the pandemic (Birch *et al.*, 2020). The experiences of countries who held elections during the pandemic are valuable in guiding Election Management Bodies (EMBs) to develop best practices which are resilient to this health crises (Birch *et al.*, 2020). The ideal elections conducted during pandemic must re-conceptualize the implementation system of elections which may include maximum electoral process to be achieved by using online methods and the use of electronic voting methods (Supriyadi *et al.*, 2021).

5. Pandemic and elections in Pakistan

In order to take proactive and informed policy measures, an all-encompassing consensus among the stakeholders is not only indispensable, but also a key for successful implementation of a policy change at this level. First and foremost, step for a policy change requires trust and confidence of the key stakeholders in Pakistan. Registered voters and political parties are significant stakeholders without whose consent no policy can be fruitful. Also adapting to new technology is challenging and require gradual education and implementation.

5.1. Proposed model for Pakistan

While exercise of new and advanced voting methods was already in practice and legitimized in many developed countries, its requirement has increased by the today's scenario. Pakistan has also suffered a lot of political turmoil and marked history in continuous protests against electoral rigging controversies. Policy reforms are already in place and experiments on variety of voting methods has been done. Fortunately, In Pakistan such infrastructure is already available that in case of need, Pakistan can manage a better election even if the pandemic prevails as compared to US but only if proactive measures are taken.

What alternate method of voting is best suited in Pakistan and why, shall be discussed next. Before explaining the better suited and available alternate voting method for Pakistan, it is important to understand the context of recurring problems faced by Pakistan in almost all elections besides the added difficulties of pandemic.

“Amid violence and vote-rigging complaints, Pakistan elects new leaders”. This was the headline of CNN edition on May 12, 2013 (Smith-Spark *et al.*, 2013). It was not the usual complaint of a competing political candidate; it became a huge conflict among the two political parties and its voters. The unrest after 2013 elections lasted for all the five years term of the then government. The protest (Dharna) by PTI on Constitutional Avenue, the number of complaints with Election Commission of Pakistan and the frustrated PTI voters was not all. The Party leader Imran Khan, said that the elections were rigged, “police were used, and the staff of election commission were used and unfortunately it's because the provincial governments were in power right up till 20 days before the elections, so they had plenty of time to place their people”. Countless video evidence of ballot stuffing was gone viral on cell phones and Television news (Ahmad, 2013). 126 days of protest near Parliament made a world record. Amidst this chaos, never ending campaigns against the then sitting Prime minister of Pakistan

also included popular slogans demanding resignation till the Prime minister was actually dismissed. These are some of the highlights of just one election. More or less every election is full of troubling events.

History of repetitive circle of electoral malpractices in Pakistan dates from her first post-independence provincial elections in 1950s (Khan, 2010). These elections were thoroughly rigged by the incumbent Muslim League governments. Barring the subsequent/sole and somewhat noble example of 1970 elections, episodic elections in Pakistan have neither been free nor fair (Inayatullah, 1997, p. 196). These flawed and tainted elections offer however, interesting insights into the very nature and enormity of malpractices, the modus operandi of their perpetration, their perpetrators, and their short-term and long-term implications for representative democracy. Although some of the malpractices overlap in these elections, yet every election, like any important political event, reveals peculiarities of its own. This holds ground for the comparatively less controversial elections of 2008 held by Musharraf government (Khan, 2010).

If we trace the historical background of Pakistani elections, in the light of cumulative electoral experience of Pakistan, one is left guessing as to why the saga of malpractices has been so enduring. Pakistan as a country being gained through ballot could not have general election within a decade of its inception. The first major general election held in 1970 was by a military government. The elections were fair by and large but its credibility was compromised later by the issue of transfer of power to the winner party 'Awami League' (Yusuf, 1999; Sisson & Rose, 1999). The political crisis and a civil strife were so huge as a result that it ended up dividing our country.

The next conducted elections in Pakistan were by the civilian government in 1977. These were also known to be massively rigged election which provoked nation-wide protests by all the nine political parties, by then known as PNA (Rizvi, 1991). The agitation was so strong that it paralyzed the civilian government and facilitated the military to take over the rule. General Zia became the president of Pakistan on 5th July 1977. He ruled the country for 14 years by creating a civilian façade through party-less general elections in 1985 (Gilani, 2008; Waseem, 1987). Afterwards, back-to-back five general elections were held and dismissed each under the controversial law of 58-2 (B) and caretaker setup. The last dismissal was again by Military; General Musharraf in October 1999 on familiar grounds of bad governance and corruption. As per Musharraf, our country needed structural reforms in all areas in which the previous governments were incapable of devising. He wanted true democracy to replace sham democracy and promised next elections within 3 years (Rashid, 2002). Among other changes, he also empowered himself by constitutional prerogative of dismissing governments or dissolving legislature under the 17th amendment of the constitution. After tempering the amendment, Musharraf held local government elections and a flawed presidential referendum to further length and strength of his regime" (Khan, 2010). Military government of Musharraf carefully manipulated the elections to basically civilianize his military rule. With the exile of Nawaz sharif and Benazir Bhutto, a leadership vacuum was created which he used to peruse his carefully crafted political agenda of roping in the potential turncoats (Khan, 2010). 'Elections served as an important instrument of co-opting pliant element and inventing what he himself called a "label democracy" (Khan, 2010). The elections held by Musharraf after three years of his regime were massively rigged in 2002 by military and political collaborators including MMA, MQM and PML-Q (Rashid, 2002).

Next general elections on February 18, 2008 were no less flawed than the rest. Khan (2010) in her research on electoral malpractice in 2008 elections provide full statistical evidence on how pre-poll, post poll and on polling day, a schematic, targeted and selective rigging was in place. Yet there appears to be a broad acceptance of the results. Khan (2010) concluded that “Overall, this election represented a big step forward on the democratic path. However, the serious assault on Pakistan’s constitutional order and fundamental flaws in the pre-election environment prevented the election from meeting international standards, forging the need for a remedial action”.

Electoral malpractices are such electoral activities that violate the laws of our country and constitutional provisions (Gillani, 2008). These activities may involve pre-poll, post-poll and polling day phases of the Election (Khan, 2010). Being an aggregate of distressing stories and fraud, the electoral malpractices are a complex whole, a four-phased recurring phenomenon that originates with system rigging and continues through pre-poll to polling-day and post-poll rigging. The responsibility for their origin and currency lies with three key actors namely politicians, bureaucrats, and the military, who seek to manipulate elections for retaining or attaining power.

To know the level of trust of the registered voters, and to inquire their readiness to move to electronic voting methods, public perceptions has been collected among the voters of Islamabad. It was astonishing to note that most of the voters were ready and excited to avert to the advanced electronic voting methods and had their preferences regarding e-voting devices. It was also noticed that voter’s trust on using electronic voting technology was also on strong level. The sample population included all highly educated voters who were well versed with the aspects of electronic voting.

5.2. Public perceptions regarding use of E-voting

With the help of structured survey questionnaire, it was observed that the educated class of Pakistan is optimistic in moving towards e-governance. 62 % voters had doubts on existing manual voting system. Their major reason for doubting existing system was that they thought political parties influence voting results by appointing their members as staff on the polling booth.

Not only are they already using the e-governance services available for various public tasks, but they have strong choices in various e-governance ways. 85% voters wished for e-voting instead of manual voting. I-voting for overseas was hugely welcomed and trusted. It was observed that their fear of technology was very low, but they had clear preferences on what type of e-voting services would they like to have. For example, they demanded for a system having biometric voters’ authentication, they choose such screens that provided options to vote in both English and Urdu languages, having photo, name, logo, and party name of the candidate on the screen, preferable screen was touch screen, where Election commission of Pakistan, NADRA and Military could counter check and retrieve the results. Respondents also chose to have enough funds to provide a solution that can cater the basic needs of e-voting system.

To know the possibilities of application of e-voting system in Pakistan in-depth interviews were conducted from the experts in the field of E-voting. Presented below is the brief analysis of the interviews:

5.3. Opinion of experts on application of E-voting in Pakistan

In-depth interviews of e-voting field experts were conducted in order to understand the ground realities and challenges around the way towards advanced voting mechanism in our country. All the experts were in favour of use of technology in variety of ways. Mainly they suggested that any form of e-voting was applicable in Pakistan, but the right kind of preference was dependent upon on its cost and legitimization. DG projects NADRA who remained Head of Software while online voting system was established for overseas Pakistanis explained that Pakistan is highly efficient in technical aspect of electronic voting development. But there are two main challenges in its way. Firstly, proper legislation which allow us to amend some of the voting laws so that technology can be introduced as a voting method. Secondly, voter's education and gradual adaptation of use of new technology which ensures the convenience of the voters in using electronic voting method. The whole idea of e-voting evolved around bringing ease to the voters, but it may be difficult for senior voters or less educated voters. Although since the widespread use of mobile phones and internet has ruled out the fear of e-technology mostly but still the correct method of gradual introduction of new ways is the key to make it possible and successful. Former additional secretary ECP also endorsed the idea of introducing new methods of voting now more than ever as the need of social distancing would require such actions to be taken.

Over all the experts recommend its implementation in a gradual process and repeated trials and pilots so that the discrepancies can be mitigated, and its acceptance and adaptation is achieved in a proper way.

5.4. Approach for the future elections in case of pandemic

Hence Electoral issues prevails in Pakistan. Whether the elections have been competitive, semi-competitive or non-competitive, rigging has been their signpost. Politicians and army with the help of bureaucracy has been co-accomplice in the art of engineered elections. In this scenario such a system would be idyllic which is more self-sufficient and less subject to human handling. These already were the reasons enough to go for an advanced electoral system for Pakistan, when the pandemic hit and made it compulsory to take advanced measures which is the need of time, and which can cater to maximum glitches.

When US had to conduct elections during the pandemic, they did not have the opportunity to prepare ahead of time. Especially when their electoral processes, rules and regulations are varied in each state. In the pandemic situation, the only option they had was to revert to vote-by-mail system since they already had some infrastructure in place for it. Since postal ballot comes with some inherent flaws, it has not been considered as a popular method of voting. US had to face its consequences. As compared to US and all other developed countries where system of postal ballot is already in place and used, Pakistan is not ready for postal ballot in case the pandemic prevails till the election year. But fortunately, Pakistan is well prepared to implement the use of technology for voting. System is already in place and successful exercises of online voting have been done by now enabling the overseas voters to vote from far flung lands. Having a structured database of registered voters can facilitate lots of alternate options of voting to enhance our electoral process. With the help of NADRA, Pakistan is already on its way towards using advanced methods of technology in all important official fields like online ID card, digitization of important licenses, online education and healthcare and much more.

Since all the system is in place, and options available, it is imperative to take proactive policy measures to avoid last moment chaotic decision making especially regarding an ordeal as momentous as general elections.

6. Conclusion

Unlike US, where elections are organized by individual governments of states, Pakistan has a centralized Election Commission to conduct elections in the country. The US constitution and laws grant the states wide latitude in how they administer their elections due to which rules of conducting elections vary all across the country. Several states have relaxed postal voting rules in the wake of COVID-19 pandemic, to enable and even encourage people not to visit the polling stations in person. Earlier postal ballot or absentee voting was allowed in some form in almost all the states but this time it became a controversy budding from a strong tweet of former US president Trump claiming that “universal mail-in voting 2020 will be the most inaccurate and fraudulent election in history. It will be a great embarrassment to the USA, delay the election until people can properly, securely and safely vote”. The reason for the lack of trust in postal voting was mainly due to problems faced around inadequate identity checks. Moreover, as more than 10 million residents in the US are deemed to be unauthorized immigrants with an additional 20.7 million that are classed as legal immigrants and naturalized citizens who are eligible voters, chances of identity fraud increases. Also, ballots that arrive after the polling day were also be counted, which increased the chances of ballot fraud and delayed the results. Not only is that methods of verification of postal ballot is only to verify the signature in most states. In some states signatures of a witness are also required. These are some genuine issues attached to vote through mail. Matter of vote authentication is still a hot debate in the US and recently a law has been passed which allow further authentication of the voter.

Keeping all these issues in view, it is clear that vote by postal ballot which has been the back-up voting method option for most of the countries during Covid is not the best suited course for Pakistan. We not only lack infrastructure, but trust issues are also attached due to its weak voter’s authentication method. As discussed earlier, a way forward for Pakistan is to introduce electronic voting system similar to the online voting system exercised for overseas Pakistani voters in elections 2018. NADRA has already worked successfully in developing a system that was accepted by all the key stakeholders and no controversy was noticed. But most important need of the time is to devise a policy mechanism long before the election year. Developing a unique secure system of voting that could maintain social distancing and stakeholder’s trust require proactive approach of the political authorities and a good deal of time. India is already working on a project of Electronic Postal Ballot System (ETBT) in the wake of pandemic. It is high time that Pakistan also deals with the matter and take pre-emptive measures to prevent another political catastrophe. And it is high time to create a national framework and bring together all the stakeholders for digitizing the elections not only to prevent the pandemic spread but also due to cost effectiveness and convenience of the prospect. If online voting works out for Pakistan, the same plate form can be used for enhanced public involvement in informed decision making on the matters that concerns our masses directly.

References

- Ahmad, S. (2013). Pakistan Elections 2013: 7 videos proving election was rigged. <https://www.mic.com/articles/41287/pakistan-elections-2013-7-videos-proving-election-was-rigged>
- Birch, S., Buriel, F., Cheseeman, N., Clark, A., Darnolf, S., ..., & Sawyer, K. (2020). How to hold elections safely, democratically during the Covid-19 pandemic. *The British Academy*. <https://www.thebritishacademy.ac.uk/publications/covid-19-how-to-hold-elections-safely-democratically-during-pandemic/>
- Commonwealth Briefing Paper. (2020). Managing elections in the context of Covid-19: Perspectives from the commonwealth, 2020(1). <https://production-new-commonwealth-files.s3.eu-west-2.amazonaws.com/migrated/inline/Elections%20and%20C19%20Perspectives%20from%20CW%20FN.pdf>
- Election Mail (n.d.). About United State Postal Service (USPS), Official website of US Post. <https://about.usps.com/what/government-services/election-mail/welcome.htm>
- Estive, J. B. (2021, March). Case study of Spanish regional elections during the Covid-19 pandemic, published by International Institute for Democracy and Electoral Assistance (IDEA). <https://www.idea.int/sites/default/files/spanish-regional-elections-during-the-covid-19-pandemic.pdf>
- Gilani, I. S. (2008). Reflections on the electoral history of Pakistan. PILDAT, Islamabad.
- Hills, M. (2021, January 18). Biden inauguration: How security threats and Covid have changed ceremony. *BBC News*. <https://www.bbc.com/news/world-us-canada-55710436>
- Howell, B. (2022, February 03). The countries who have handled Corona Virus the best and the worst. *Move Hub*. <https://www.movehub.com/blog/best-and-worst-covid-responses/>
- Iffat Hamayun Khan (2010). Electoral malpractices in Pakistan: A case study of general elections 2008. http://www.nihcr.edu.pk/Latest_English_Journal/Pjhc%2031-2,%202010/8.%20%2011-06-11%20Electoral%20Malpractices%20in%20Pakistan,%20Iffat%20H%20K.pdf
- Inayatullah (1997). *Essays on state and democracy in Pakistan*. Vanguard Books. https://books.google.com.pk/books/about/Essays_on_State_and_Democracy_in_Pakistan.html?id=OgduAAAAMAAJ&redir_esc=y
- International Covenant on Civil and Political Rights, United Nations General Assembly (1996), 'Article 4', Treaty Series Vol. 999, p. 174. <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>
- International Foundation for Electoral Systems (2021). List of countries who postponed elections due to pandemic as of May 11, 2021. https://www.ifes.org/sites/default/files/elections_postponed_due_to_covid-19.pdf
- Kamarck, E., & Stenglein, C. (2020, June 2). Low rates of fraud in vote-by-mail states show the benefits outweigh the risks. <https://www.brookings.edu/blog/fixgov/2020/06/02/low-rates-of-fraud-in-vote-by-mail-states-show-the-benefits-outweigh-the-risks/>
- Khan, I. H. (2010). Electoral Malpractices in Pakistan: A Case Study of the General Elections 2008. *Pakistan Journal of History and Culture*, XXXI(2), 163-188. http://www.nihcr.edu.pk/Latest_English_Journal/Pjhc%2031-

- [2,%202010/8.%20%2011-06-11%20Electoral%20Malpractices%20in%20Pakistan,%20Iffat%20H%20K.pdf](#)
- Rashid, A. (2002). Elections “Rigged” in Pakistan by Military Regime. *The Telegraph*.
- Rizvi, H. A. (1991). The military and politics in Pakistan. *Journal of African and Asian Studies*, 26(1-2), 26-42. <https://doi.org/10.1163/156852191X00039>
- Rutenberg, J. (2020, Oct 12). Whats the problem with vote by mail. *The New York Times*. <https://www.youtube.com/watch?v=qqeoGiODHOk>
- Sisson, R., & Rose, L. E. (1990). *War and Secession: Crisis and discussion in South Asia, 1971*. University of California.
- Sky News (2020). Mail ballot issues as US election dawns. <https://www.youtube.com/watch?v=ufcKMrEMcSo>
- Smith-Spark, Mohsin, S., & Kassim, A. (2013, May 12). Amid violence and vote-rigging complaints, Pakistan elects new leaders. *CNN*. <https://edition.cnn.com/2013/05/12/world/asia/pakistan-election/index.html>
- Twitter. (2021, January 8). Permanent suspension of @realDonaldTrump. *Twitter Blogs*. https://blog.twitter.com/en_us/topics/company/2020/suspension
- Waseem, M. (2002). *Pakistan under Martial Law 1977–1985*. Vanguard Books.
- Waseem, M. (2000). *Politics and the State in Pakistan*. Vanguard Books.
- West, D. M (2020, June 22). How does vote-by-mail work and does it increase election fraud. *Brookings*. <https://www.brookings.edu/policy2020/votervital/how-does-vote-by-mail-work-and-does-it-increase-election-fraud/>
- World News (2020, Aug 16). US 2020 elections: US postal ballot service pulled in political fight. <https://www.youtube.com/watch?v=jol6baOtYMU>
- Yusuf, H. (1999). *Pakistan: A study of political developments 1947-97*. Sang-e-meel Publications.